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2 A R L E N E D U N N ,
 3 called as a witness, having been first duly sworn to
 4 tell the truth, the whole truth, and nothing but the
 5 truth, was examined and testified as follows:

6 EXAMINATION BY MR. BISER:

7 Q Ms. Dunn, my name is Douglas Biser. I
 8 represent NuCar in this case, and I'm going to take
 9 your deposition, asking you some questions. If at any
 10 time you need a break, let me know. If you don't
 11 understand the question, I would be glad to repeat it
 12 for you.

13 Could you please state your full name and
 14 address?

15 A Barbara Arlene Dunn, 24 Sandy Run, Elkton,
 16 Maryland, 21921.

17 Q How long have you lived at that address?

18 A Fourteen years.

19 Q Who do you live there with?

20 A Myself, no one.

21 Q By whom are you presently employed?

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1 for Custom?

2 A NuCar, Inc. NuCar Connection, Inc.

3 Q When did you leave NuCar Connection, Inc.?

4 A January of 2001.

5 Q What was your position at NuCar Connection?

6 A Site controller.

7 Q Why did you leave?

8 A The position was dissolved.

9 Q What were your duties or responsibilities
 10 as the site controller?

11 A I worked with the general manager, James
 12 Capron (phonetic), and was responsible for duties he
 13 assigned.

14 Q What were those duties that he assigned to
 15 you on an ongoing basis?

16 A To review expenses, troubleshoot any weak
 17 areas.

18 Q How long were you the site controller?

19 A Approximately two years.

20 Q When approximately did you start your
 21 position as a site controller?

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1 A Custom Sportswear, Inc., Blackwood, New
 2 Jersey.

3 Q How long have you worked there?

4 A Not quite a year.

5 Q What is your position with them?

6 A Sales representative.

7 Q Do you work out of your home?

8 A Sometimes.

9 Q Do you have an office in Blackwood, New
 10 Jersey?

11 A Yes.

12 Q And do you commute from your home --

13 A Yes.

14 Q -- to the business in Blackwood?

15 A Yes.

16 Q As a sales rep presently, what are your
 17 duties or responsibilities?

18 A Present a sportswear program for elementary
 19 schools consisting of imprinted sportswear,
 20 sweatshirts, T-shirts, sweat pants.

21 Q Where did you work before you went to work

1 A I don't remember exactly. I think it was

2 March of -- February or March of '98. I'm not sure on
 3 that.

4 Q And from approximately February or March of
 5 '98 until you left in January 2001, did you work at one
 6 location?

7 A Yes.

8 Q What location was that?

9 A 174 North Dupont Highway, New Castle,
 10 Delaware.

11 Q And that was the dealership?

12 A Yes.

13 Q Now, your duties you explained as reviewing
 14 expenses and troubleshooting. Let's just take a look
 15 for a minute at the reviewing expenses. Tell me what
 16 it is you would actually do, physically, to review
 17 expenses.

18 A For instance, if receivables are high in a
 19 certain area, to bring that to the attention of Mr.
 20 Capron. That's an instance.

21 Q Okay. Would that be all of the expenses

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1	A A window sticker on the glove box.	1 car was available to see, but it was not there just to
2	Q That's the Moroney sticker?	2 see.
3	A That's correct.	3 Q Okay. All right. Did you ever have
4	Q And that's the sticker that's placed,	4 occasion at any time during your employment with NuCar
5	5 generally you see them when they're on the lots, on the	5 to have a person come up to you and say, I'd like to
6	6 windows themselves?	6 buy that vehicle, or express interest in purchasing the
7	A Right.	7 vehicle that you were driving?
8	Q You did not have that on the window, that	8 A Yes.
9	9 was in the glove box?	9 Q When did that occur?
10	A Yes.	10 A Often.
11	Q Is that generally how, when you drove a	11 Q How often would that have occurred?
12	demonstrator, where the Moroney sticker would be?	12 A Four or five times a year.
13	A It would stay on the car if it was not	13 Q When that occurred, did you have any
14	visible. It didn't harm my visibility.	14 authority to speak for the dealership with respect to
15	Q Right. Okay. So the one in question was	15 selling the vehicle or engaging, entering into a
16	16 in the glove box itself; is that correct?	16 contract of sale?
17	A Yes.	17 A No.
18	Q With regard to this vehicle, do you know	18 Q When inquiries were made such as that, what
19	19 whether this particular vehicle, the Chevrolet Camaro	19 were you to do, or what did you do?
20	20 that was in this accident, was ever shown to any	20 A On some occasions I had salesmen's business
21	21 customer during the period of time that you were using	21 cards. I would talk about the car, saying that it was
	Page 19	Page 21
1	it?	1 available for sale and they could contact the sales
2	A I don't have that knowledge.	2 rep.
3	Q You have no recollection of that?	3 Q So what you would have to do, then, is
4	A I have no recollection of that.	4 refer that person to the sales organization or office
5	Q All right. While you were driving this	5 or person?
6	6 vehicle, did you ever have occasion to -- was it part	6 A That's correct.
7	7 of your responsibilities to show this vehicle to any	7 Q And so any sales would be done through the
8	8 prospective customers?	8 sales force; is that a fair statement?
9	A It was available to see. It was in a	9 A Yes.
10	10 designated parking spot. If I went somewhere on an	10 Q Do you know whether that ever occurred with
11	11 occasion, it was clean. It was available for anybody	11 regard to this Chevrolet Camaro? Had anyone ever
12	12 to look at.	12 approached you at any time expressing interest in
13	Q I understand that it was available to look	13 purchasing that vehicle or a like vehicle that you can
14	14 at, but were you ever requested to show it to anyone?	14 remember?
15	A No.	15 A I have no recollection.
16	Q Did you ever have occasion at any time	16 Q Just to confirm, the use of the vehicle was
17	17 while you were employed by NuCar and driving a	17 part of your compensation, and as such there was income
18	18 demonstrator vehicle, did you ever have occasion to	18 attributed to you for the use of the vehicle; is that
19	19 show a vehicle for sales purposes to any person or any	19 correct?
20	20 prospective customer?	20 A That's correct.
21	A I went to a golf tournament once and the	21 Q On which you paid income taxes?

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1 two years, or a year and a half.	1 A Yes.
2 Q Do you know whether she's had any medical	2 Q And you were here and you heard her
3 bills --	3 testimony?
4 A I don't know.	4 A Yes.
5 Q -- that weren't -- just let me finish the	5 Q Is your understanding as to the use of the
6 question -- that she has incurred as a result of this	6 demos that she described, particularly the promotional
7 collision, that were not paid through health insurance	7 use of the demos, your understanding?
8 or some other fashion?	8 MR. BISER: Objection.
9 MR. BEKMAN: Objection.	9 A Yes.
10 A I don't know.	10 Q And that these vehicles were available to
11 MR. BISER: That's all the questions I have	11 be sold at any time?
12 now. Thanks.	12 A Yes.
13 MR. BEKMAN: Ms. Dunn, I'm Paul Bekman. I	13 Q And I think you mentioned that there were
14 represent Ms. Whalen.	14 times where you might be approached by people who would
15 EXAMINATION BY MR. BEKMAN:	15 say to you and ask you about the very car that you were
16 Q Good afternoon.	16 driving?
17 A Hello.	17 A Yes.
18 Q The place where this incident took place	18 Q And I take it that you would refer them to
19 was in Cecil County?	19 NuCar?
20 A Yes.	20 A That's correct.
21 Q Near Elkton?	21 Q And you would promote that, would you not?
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1 A Yes.	1 A Yes.
2 Q Close by?	2 Q And was that your understanding as to one
3 A About twenty minutes from my house.	3 of the reasons why you were given a demo car to have?
4 Q Was it within fifty miles of where the	4 A It was a general understanding.
5 dealership was?	5 Q You also said that you carried with you
6 A I would say within fifty miles of my house.	6 some salesmen's business cards. Tell me about that.
7 I don't know.	7 A For just this occasion.
8 Q The dealership is in what part of Delaware?	8 Q And if somebody were to ask you about a
9 A New Castle County.	9 particular car, you would give them a card and say why
10 Q And is it your estimate, in terms of time,	10 don't you call Bill, or Tom, or whoever?
11 is it within fifty minutes of where the dealership is?	11 A That's correct.
12 A No, it's longer.	12 Q And this could happen at any time of the
13 Q Do you know how much longer?	13 day, any day of the week?
14 A No.	14 A That is correct.
15 Q But it's your understanding that even if it	15 Q And it did?
16 were not within 50 miles, NuCar knew and gave you	16 A Yes.
17 permission to operate this vehicle outside of 50 miles	17 Q The license plates that were on the vehicle
18 from the dealership?	18 at the time of the incident, was there both a front
19 A Yes.	19 license plate and a rear license plate?
20 Q You were present during the deposition of	20 A I don't know.
21 Mrs. Chickersky, Gail?	21 Q Was there a front frame and a back frame?